

REMARKS

Applicant's attorney filed an Amendment After Notice of Allowance Under 37 CFR 1.312 on April 3, 2006 via first class mail. It has since been discovered that there were typographical errors in the Amendment filed on April 3, 2006. Therefore, Applicant's attorney herewith submits a CORRECTED Amendment After Notice of Allowance via facsimile, including the proper amendment to Claim 4, and requests the Amendment filed on April 3, 2006 be ignored, and that the above amendments be entered.

Applicant requests reconsideration and further examination of this application.

The Amendment does not add new matter because the proper expansion of the acronym is in the description at page 3, line 4. Also, a popular acronym dictionary (copy attached as Exhibit A) supports the proper expansion. Furthermore, the acronym is used to refer to the present invention at page 7, lines 1-11.

The Amendment is needed to correct a typographical error in the main claim. In Claim 4, the acronym "MIR" was incorrectly expanded to be "microwave infrared". The correct expansion instead should have been "micropower impulse radar" (see the description at page 3, line 4).

The proposed amended claim may require no additional search or examination, because "MIR" was already properly defined in the description (see page 3, line 4). However, Applicant acknowledges Examiner Dan Pihulic may have been misdirected in his searching by the incorrectly expanded term "infrared". Still, Applicant does not have these facts, and a recent phone call to the examiner did not confirm them one way or another.

The proposed claims are patentable, because none of the cited references, GB 2232800 (O'Keeffe, et al.), US 5,457,394 (McEwan), and US 4,897,630 (Nykerk), disclose a portable MIR proximity sensor not fitted to a person. The O'Keeffe, et al. and Nykerk sensors are not MIR, and the McEwan studfinder sensor is typically fitted to the hands of a person.

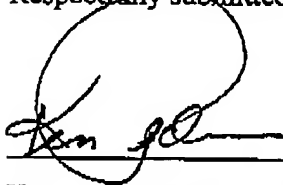
The correct claims were not presented earlier because Applicant's attorney did not realize the clerical error until it was recently brought to his attention by Applicant.

CORRECTED Amendment  
After Notice of Allowance

Therefore, respectfully, Applicant requests Amendment of the subject Claims under 37 C.F.R. 1.312.

Applicant now believes the application is in condition for allowance and respectfully requests the same.

Respectfully submitted,



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Ken J. Pedersen, Registration No. 29,689  
Barbara S. Pedersen, Registration No. 36,237  
P.O. Box 2666  
Boise, ID 83701-2666  
Telephone: 208-343-6355  
Facsimile: 208-343-6341

CORRECTED Amendment  
After Notice of Allowance